REMARKS

In the Final Office Action[1], the Examiner rejected claims 10 and 12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,665,020 to Stahl et al. ("*Stahl*") in view of U.S. Patent No. 6,918,123 to Shteyn ("*Shteyn*"). Claims 10 and 12 remain pending and under current examination.

Applicants respectfully traverse the rejection of claims 10 and 12 under 35 U.S.C. § 103(a). The prior art cited by the Examiner, *Stahl* in view of *Shteyn*, does not teach or suggest each and every element of claims 10 and 12. A *prima facie* case of obviousness has, therefore, not been established.

Claim 10 recites a transmitting system including, for example:

> a first controlling apparatus connected to a predetermined network, said first controlling apparatus including a first control section for preparing and transmitting a request to another controlling apparatus to execute a connection management function when the first controlling apparatus does not mount a control module of said connection management function and has been notified by said another controlling apparatus that said another controlling apparatus mounts a control module of said connection management function, said request including a request for executing the connection management to establish a connection between the transmitting apparatus and the receiving apparatus on the predetermined network and to execute data transmission from the transmitting apparatus through the connection by using a control module of a corresponding connection management function mounted in said another controlling apparatus; and
>
> a second controlling apparatus configured to receive said request, said second controlling apparatus including a second control section for executing the connection management function . . .

(emphasis added). The Examiner states that the DTV of *Stahl* teaches the claimed first controlling apparatus and the IRM 26 of *Stahl* teaches the claimed first

[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

control section (Final Office Action at page 4). The Examiner also states, "IRM 26 resides on the DTV" (Final Office Action at page 3). Applicants respectfully disagree.

According to *Stahl*, IEEE 1394 serial bus 16 contains a serial bus protocol "as a set of three stacked layers" (col. 3, lines 10-12 and Fig. 3). "There are two management entities defined for IEEE-1394 serial bus; the isochronous resource manager 26 and the bus manager 28. These two entities may reside on two different nodes or on the same node" (col. 3, lines 58-62). The Examiner interprets this passage as disclosing, "IRM 26 may reside on two different nodes or on a single node" (Final Office Action at page 3). This is not a correct reading of the passage. This passage states that isochronous resource manager 26 and bus manager 28 may reside on two different nodes or on the same node. Each manager resides on only <u>one</u> node. Therefore, IRM 26 cannot reside on two different nodes.

Furthermore, the teaching that the "DTV must be IRM and BM capable" (col. 4, lines 16-17) does not inherently, or obviously, teach that IRM 26 resides on the DTV as alleged by the Examiner (Final Office Action at page 3). In fact, *Stahl* teaches away from the Examiner's position. *Stahl* states that IRM 26 is located <u>within</u> the serial bus protocol for the IEEE 1394 serial bus 16 (column 3, lines 55-65 and Figure 3). Fig. 4 depicts serial bus 16", which operates in the same manner as serial bus 16 and contains the associated IRM and BM, outside DTV 14". DTV 14" does not include serial bus 16" or IRM 26. Therefore, *Stahl* does not teach "a first controlling apparatus connected to a predetermined network, said first controlling apparatus <u>including a first control section</u>," as recited in claim 10.

The Examiner states, "isochronous data flows can be controlled by any device connected to the IEEE 1394 bus (column 6, lines 8-32), thus controlling the flow and reception of isochronous data, by another device other than the first device . . . does suggest a first controlling apparatus that does not mount a control module of said connection management function" (Final Office Action at page 3). Applicants disagree. Even assuming that the "IRM 26 allocates and deallocates the channels and bandwidth in order to establish the connection" (Final Office Action at page 4), there is no teaching that "the first controlling apparatus does not mount a control module ... [and] said another controlling apparatus mounts a control module", as recited in claim 10.

In *Stahl*, "[t]he flow of isochronous data controlled by one output plug control register (oPCR) and one output master plug register (oMPR) located on the transmitting side" (col. 6, lines 8-10). "An isochronous data flow can be controlled by any device connected to the IEEE 1394 serial bus by modifying the corresponding plug control registers" (col. 6, lines 24-26). The Examiner states if the isochronous data flow is controlled by one device, the other device (i.e. DTV) does not control the data flow, and therefore does not mount a control module. However, there is no teaching, in *Stahl*, that the first controlling device, characterized by the Examiner as corresponding to the DTV, transmits a request to another controlling device to execute a connection management function when the first controlling apparatus does not mount a control module.

Stahl discloses, "the DTV will receive the RC key presses . . . intended for the DVCR . . . translate the RC key press to a predetermined standardized universal key code and transport it across the serial bus to the DVCR" (col. 8, lines 8-13). Nothing in

Stahl teaches or suggests that the DTV does not mount a control module. On the contrary, the DTV receives RC key presses, translates the key presses, and transports them. Such actions do not suggest that the DTV does not mount a control module.

Furthermore, there is no teaching, in *Stahl*, that the DVCR notifies the DTV that it "mounts a control module of said connection management function". The DVCR "will receive the universal command and perhaps translate it into the Sony format and then take action" (col. 8, lines 20-22). The DVCR receives and translates the universal command, but there is no teaching that it sends a communication back to the DTV that notifies the DTV that it "mounts a control module of said connection management function". Therefore, *Stahl* does not teach "a first controlling apparatus connected to a predetermined network, said first controlling apparatus including a first control section for preparing and transmitting a request to another controlling apparatus to execute a connection management function when the first controlling apparatus does not mount a control module of said connection management function and has been notified by said another controlling apparatus that said another controlling apparatus mounts a control module of said connection management function," as recited in claim 10.

The Examiner states that *Stahl* does not teach the claimed "request which utilizes a self describing data structure which provides device control data, the device control data including an override DCM of the transmitting device and the receiving device" (Final Office Action at page 5), and the Examiner relies on *Shteyn*. Even assuming that *Shteyn* teaches a self describing data structure and override DCM, *Shteyn* does not cure the deficiencies of *Stahl*. *Shteyn* does not teach "a first controlling apparatus connected to a predetermined network, said first controlling apparatus

including a first control section for preparing and transmitting a request to another controlling apparatus to execute a connection management function when the first controlling apparatus does not mount a control module of said connection management function and has been notified by said another controlling apparatus that said another controlling apparatus mounts a control module of said connection management function," as recited in claim 10.

Accordingly, *Stahl* and *Shteyn* fail to establish a *prima facie* case of obviousness with respect to claim 10. Independent claim 12, though of different scope from claim 10, recites limitations similar to those set forth above with respect to claim 10. Claim 12 is therefore allowable for at least the reasons presented above.

In view of the foregoing remarks, Applicants respectfully request reconsideration of the application and withdrawal of the rejections. Applicants submit that pending claims 10 and 12 are all in condition for allowance and requests a favorable action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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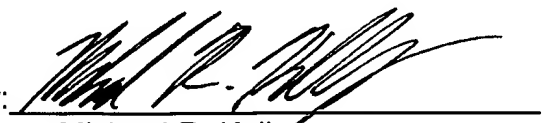
By: 
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